

**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** March 3, 2008

**TO:** Ginny Rowen, Project Manager, Land Use Review

**FROM:** Pat Giglio, Planner, Community Planning

**SUBJECT: ZMAP 2007-0009, SPEX 2007-0050 Graybar Electric**

**BACKGROUND**

The applicant, Graybar Electric, Inc., has submitted a Zoning Map Amendment (ZMAP) application to convert approximately 6.49 acres of land zoned Planned Development – Industrial Park (PD-IP) from the 1972 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance. The applicant is also requesting a Special Exception (SPEX) to permit an outdoor storage use in the PD-IP Zoning District.

The subject property is located at 45145 Ocean Court, in the Jaguar Office Park, south of Ocean Court and west of Cedar Green Road (Route 775) in Sterling. The subject property is surrounded by other industrial and business uses which are also zoned PD-IP. The applicant, Graybar Electric, Inc., is a distributor of electrical, telecommunication, and network supplies with store locations throughout the United States, Canada and Mexico. The applicant has operated from the existing 62,000 square foot warehouse on the subject property since August 2006, after moving from Chantilly. The applicant is seeking a Special Exception to create a 10,000 s.f. fenced outdoor storage area adjoining the southwest elevation of the building in an area currently used for parking.

**COMPREHENSIVE PLAN ANALYSIS**

The site is governed by the policies of the Revised General Plan. It is located within the Sterling Community in the Suburban Policy Area and is designated for Industrial development (Revised General Plan, Planned Land Use Map, p. 7-23). The subject property is located northeast of Washington Dulles International Airport within the Airport Noise Impact Overlay District and impacted by the Ldn 60 and Ldn 60 1-mile buffer noise contours. The subject property is also located within the Route 28 Highway Improvement Transportation District ('Route 28 Tax District').

Attachment 1 A

A 1

## **ANALYSIS:**

### **A. Zoning Map Amendment (ZMAP)**

The subject property is located within the Route 28 Highway Improvement Transportation District ('Route 28 Tax District'). The Revised General Plan provides policy direction encouraging property owners within the Tax District to convert from the 1972 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance in order to provide consistent development patterns within the District. The Plan states: "The County will look at incentives to encourage Route 28 Tax District Landowners to opt into the revised Zoning Ordinance" (Revised General Plan, Policy 14, p. 4-10). As such, the proposed conversion to the most current Zoning Ordinance is appropriate and does not change the underlying PD-IP zoning of the subject property.

***Staff recommends approval of the zoning conversion.***

### **B. Special Exception (SPEX)**

The subject property is located in area designated for planned Industrial uses by the Revised General Plan. The County envisions that areas designated for General Industrial uses will "accommodate the continued operation and expansion of major industrial uses in the County and to provide for a degree of protection of industrial uses from other land uses" (Revised General Plan, Text, p. 6-30). The Plan recognizes that General Industrial uses are predominantly labor-intensive and commercial uses, and that the potential outdoor storage requirements, noise levels and possible emissions present difficult design issues that may make them incompatible with other business and residential uses (Revised General Plan, Text, p. 6-30, 6-31 and Policy 2, p. 6-31).

The applicant is seeking a Special Exception to create a 10,000 s.f. fenced outdoor storage area adjoining the southwest (rear) elevation of the building in an area currently used for parking. The proposed outdoor storage area would be enclosed by an 8'foot high chain link fence and cantilevered racking (up to 12' in height) would extend above the fencing. The Revised General Plan anticipates that industrial areas will require some amount of outdoor storage and provides specific guidelines that call for all outdoor storage and equipment parking within free-standing industrial parks to be screened from adjoining non-industrial properties and roads (Revised General Plan, Policy 6, p. 6-31). The applicant has provided a sheet depicting the existing vegetation and landscaping on the subject property which appears to sufficiently buffer and screen the proposed outdoor storage area from the adjoining properties. Additionally, the proposed outdoor storage area will not be visible from any roadways. Staff recommends that the applicant commit to the long-term maintenance and care of existing vegetated buffers and fencing on the subject property.

***Staff finds the proposed outdoor storage area is sufficiently buffered and screened from adjoining properties and roadways. Staff recommends that***

conditions of approval be developed to ensure the long-term maintenance and care of the existing vegetated buffers and fencing on the on the subject property. *Staff recommends approval of the Special Exception request with conditions.*



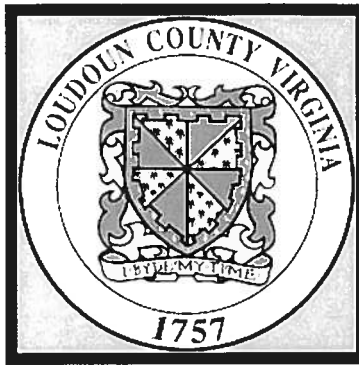
View Southwest Corner of building and approximate location of proposed 10,000 s.f. fenced outdoor storage area.

### **RECOMMENDATION**

Staff finds that the submitted Zoning Map Amendment (ZMAP) application for the conversion of the subject property, which is zoned Planned Development – Industrial Park (PD-IP), from the 1972 Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance is in conformance with the policies of the Revised General Plan. Additionally, the Special Exception (SPEX) request to permit the establishment of a 10,000 storage at the rear of the building is supported by the General Industrial polices of the Revised General Plan. In order to ensure that the proposed outdoor storage area is adequately screened and buffered, staff recommends that conditions of approval be developed to ensure the long-term maintenance and care of the existing vegetated

buffers and fencing on the on the subject property. Staff supports the applicants request for a Zoning Map Amendment (ZMAP) and Special Exception (SPEX) for the subject property and recommends approval of the applications with conditions.

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Program Manager, Community Planning – via e-mail



**COUNTY OF LOUDOUN**

**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**MEMORANDUM**

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**DATE:** August 8, 2008

**TO:** Ginny Rowen, Project Manager, Department Of Planning

**THROUGH:** Marilee Seigfried, Deputy Zoning Administrator

**FROM:** John D. Kirby, Planner Zoning Administration

**CASE NUMBER & NAME:** ZMAP-2007-0009 Graybar Electric

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At this time Zoning has no comment based upon the current submission. Any and all future submissions will be reviewed accordingly.

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**COUNTY OF LOUDOUN**  
**DEPARTMENT OF BUILDING AND DEVELOPMENT**  
**MEMORANDUM**

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**DATE:** April 11, 2008

**TO:** Ginny Rowen, Project Manager, Department Of Planning

**THROUGH:** Marilee L. Seigfried, Deputy Zoning Administrator *ms*

**FROM:** John D. Kirby, Planner, Zoning Administration *jd*

**CASE NUMBER AND NAME:** ZMAP-2007-0009 &  
SPEX-2007-0050 Graybar Electric 1<sup>st</sup> Submission

**LCTM:** /94//42/////4/

**MCPI:** 045-38-0987-000

**PLAN SUBMISSION NUMBER:** 1<sup>st</sup> Submission

**ZONING COMMENTS:**

**A. OTHER ISSUES:**

1. Please identify the Zoning Ordinance as the Revised 1993 Loudoun County Zoning Ordinance not the 1993 Zoning Ordinance throughout the Statement of Justification, Zoning Map Amendment Application, and Special Exception Application.

**ZMAP Comments:**

1. On Sheet 1 of 2 update General Notes to reference ZMAP-1986-0002 and BLAD-2005-0033.
2. On Sheet 1 of 2 County records do not match the acreage and square footage provided. Please review information and change if necessary.
3. On Sheet 1 of 2 update zoning information in General Notes to reference the LDN 60 1 Mile Airport Impact Overlay District and the LDN 60 Airport Impact Overlay District.
4. On Sheet 2 of 2 please remove the SPEX shading and notation of the storage yard from the ZMAP plan.

5. On Sheets 1 and 2 please remove all +/- information and provide the actual numbers according to County records.
6. On Sheet 2 of 2 please identify all required yards and setbacks (parking & building), and the required buffer yards.

**SPEX Comments:**

1. On Sheet 1 of 4 correct General Note 1 to state an accessory outdoor storage area, instead of an outdoor storage area and please remove +/- and provide accurate square footage.
2. On Sheet 1 of 4 County records do not match the acreage, and square footage provided. Please update this information to match County records or update parcel information to correct the parcel size.
3. On Sheet 1 of 4 update General Notes to reference BLAD-2005-0033.
4. On Sheet 1 of 4 update General Notes to reference acreage and square footage.
5. On Sheet 1 of 4 update General Notes to reference the LDN 60 1 Mile Airport Impact Overlay District and the LDN 60 Airport Impact Overlay District.
6. On Sheet 1 of 4 update general notes to reference ZMAP-1986-0002.
7. On Sheet 1 of 4 please separate the Site Tabulations based on existing and proposed.
8. Under Site Tabulations the current use "Commercial/Industrial/Office" is not a specified use in the Revised 1993 Loudoun County Zoning Ordinance. The current use is "Warehousing" permitted by special exception (SPEX-1986-0002) under the 1972 Loudoun County Zoning Ordinance.
9. Under Site Tabulations please add lot coverage, building height (maximum and provided), and identify required yards.
10. On Sheet 2 of 4 please identify all required yards (parking & building), and the buffer yards.
11. On Sheet 2 of 4 please provide the accurate dimensions of the accessory outdoor storage area.
12. On Sheet 3 of 4 please remove the outdoor storage area from the existing conditions plat.
13. All Sheets please remove all +/- information and provide the actual numbers according to County records.

## **Section 4-500**

### **PD-IP Planned Development - Industrial Park.**

#### **4-501**

**Purpose.** The district is established for light and medium industrial uses, office uses, and necessary supporting accessory uses and facilities, designed with a park-like atmosphere to complement surrounding land uses by means of appropriate siting of buildings and service areas, attractive architecture, and effective landscape buffering.

#### **4-502**

**Size and Location.** PD-IP districts shall be located in areas served by one or more major arterial or collector roads, by public water and sewer, and consistent with locations identified in the Comprehensive Plan for industrial use. When mapped, the district shall be no less than twenty (20) acres in size. Incremental and contiguous additions of a minimum of one (1) acre to an existing PD-IP zoning district shall be allowed. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

#### **4-503**

**Permitted Uses.** The following uses shall be permitted in any PD-IP district, subject to the requirements and limitations of these regulations.

- (A) Adult day care center.
- (B) Agriculture, horticulture, forestry, or fishery.
- (C) Commuter parking lot.
- (D) Distribution facility.
- (E) Facility for scheduled lessons such as: dance, gymnastics, judo and sports training.
- (F) Flex industrial use, pursuant to Section 5-608.
- (G) Office, administrative, business and professional, (i.e. office uses) provided:
  - (1) Office uses are an integral design element of a site plan for an industrial site or park containing not less than 40,000 square feet of gross floor area; and
  - (2) Office uses shall be located no further than 100 feet from the setback, as established by Section 5-900, of an arterial or major collector road; and
  - (3) Office uses shall be the prominent features when viewed from adjacent roadways; and



- (4) Other permitted uses may be co-located with office uses, provided such uses do not have frontage or direct access to an arterial or major collector road and will not exceed forty (40) percent of the gross floor area of the total land area of the industrial site or park; and
  - (5) Parking may be located in the side and rear yards and in no case shall parking be located between the building and the arterial or major collector road. On a corner or through lot, there shall be only one front yard as established by Section 1-205(C); and
  - (6) Buildings which contain office uses shall contain two stories or more.
- (H) Manufacture, processing, fabrication and/or assembly of products such as, but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchased glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery.
- (I) Post office.
- (J) Radio and television recording studio.
- (K) Recycling drop off collection center, small, pursuant to Section 5-607.
- (L) Research, experimental testing, or development activities.
- (M) Wholesale trade establishment.
- (N) Uses which are supportive and complementary to (which serve the users of) existing permitted and principal uses within a specific industrial park, such as, but not limited to restaurants excluding drive-throughs, business service establishments, personal service establishments, health and fitness centers, and automobile service stations, not to exceed a total of five percent (5%) of the total allowable floor area of the industrial park shown on a concept development plan.

- (O) Bakery, commercial.
- (P) Bank or financial institution, pursuant to Section 5-659.
- (Q) Dwelling, accessory to a permitted or special exception use.
- (R) Printing service.
- (S) Warehousing facility, pursuant to Section 4-507(E).
- (T) Auction house.
- (U) Business service establishment.
- (V) Health and fitness center.
- (W) Park.
- (X) Postal service, including overnight courier collection and overnight mail distribution facility.
- (Y) Restaurant, carry-out only.
- (Z) Water pumping station.
- (AA) Utility substation, dedicated.
- (BB) Conference or training center.
- (CC) Sewer pumping station.
- (DD) Utility substation, distribution, pursuant to Section 5-616.
- (EE) Church, synagogue, temple or mosque.
- (FF) Motor vehicle service and repair, light.
- (GG) Telecommunications antenna, pursuant to Section 5-618(A).
- (HH) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (II) Funeral home, pursuant to Section 5-658.
- (JJ) Training Facility.
- (KK) Interactive Science & Technology Center.

- (LL) Outdoor Storage, Accessory up to 10% of gross floor area of principal use.
- (MM) Contractor service establishment, excluding retail sales and outdoor storage.
- (NN) Recreation establishment, outdoor or indoor, provided:
  - (1) Parking areas for recreation establishments shall be designed to enhance the safety of children as they arrive at and leave the facility; and
  - (2) Recreation establishments shall include a designated pickup and delivery zone, providing at a minimum one (1) parking space per twenty (20) children and shall be located in proximity to the recreation establishment in such a way that provides safe and clearly designated access to enter or exit the facility.

**4-504**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors pursuant to the provisions of Section 6-1300.

- (A) Office, administrative, business and professional, which do not meet the criteria contained in Section 4-503(G).
- (B) Civic, social, fraternal association meeting place.
- (C) Educational institution.
- (D) Golf driving range.
- (E) Heliport, helistop.
- (F) Hospital, pursuant to Section 5-610.
- (G) Hotel/Motel, pursuant to Section 5-611.
- (H) Public utility service center with or without storage yard.
- (I) Sewage treatment plant.
- (J) Uses which are supportive and complementary to (which serve the users of) existing permitted and principal uses within a specific industrial park, such as, but not limited to restaurants, excluding drive-throughs, business service establishments, personal service establishments, health and fitness centers and automobile service stations; but not to include such uses as car repair except in

conjunction with an automobile service station; in excess of five (5%) percent but not to exceed a total of 25% of the total allowable floor area of the industrial park shown on a concept development plan.

- (K) Utility substation, transmission, pursuant to Section 5-616.
- (L) Utility transmission lines, overhead.
- (M) Water treatment plant.
- (N) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (O) Medical care facility, outpatient only.
- (P) Motor vehicle service and repair, heavy.
- (Q) Printing service plant.
- (R) Child care center, pursuant to Section 5-609(B).
- (S) Fire and/or rescue station.
- (T) Dry cleaning plant.
- (U) Automotive service station.
- (V) Car wash.
- (W) Golf course.
- (X) Motor vehicle rental, with outdoor vehicle storage only.
- (Y) Personal service establishment
- (Z) Recreation establishment, outdoor or indoor, which do not meet the criteria contained in Section 4-503(NN).
- (AA) Recycling drop-off collection center, large, pursuant to Section 5-607.
- (BB) Mass transit facilities and stations.
- (CC) Water storage tank.
- (DD) Firearm range, archery range, indoor.

- (EE) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (FF) Storage, outdoor accessory in excess of 10% of gross floor area of principal use.
- (GG) Parking Lot/Valet Service, Long-Term.
- (HH) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (II) School, public and private.
- (JJ) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (KK) Police station.
- (LL) Motorcycle or ATV sales, rental, repair and associated service.
- (MM) Animal hospital.
- (NN) Camp, day.

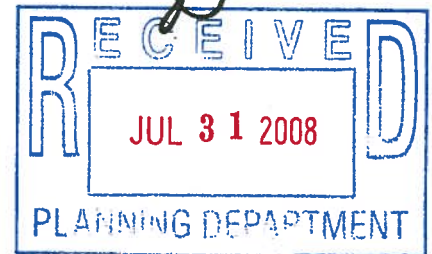
#### 4-505

##### **Lot Requirements.**

- (A) **Size.** One (1) acre minimum, exclusive of major floodplain.
- (B) **Yards.**
  - (1) **Adjacent to roads.** Except where a greater setback is required by Section 5-900, no building shall be permitted closer than thirty five (35) feet to the right-of-way from any road and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.
  - (2) **Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses.** No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than seventy five (75) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than sixty (60) feet to any such districts and uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in

**County of Loudoun**  
**Office of Transportation Services**  
**MEMORANDUM**

**DATE:** July 28, 2008  
**TO:** Ginny Rowen, Project Manager, Department of Planning  
**FROM:** Art Smith, Senior Coordinator, Planning and Development  
**SUBJECT:** **ZMAP 2007-0009 and SPEX 2007-0050**  
**Graybar Electric Company**  
**Second and Final Referral**



ZMAP Comments

As previously noted, OTS has no objections to the approval of ZMAP 2007-0009.

SPEX Comments (SPEX 2007-0050)

1. Please confirm the status of Proffer 1 of ZMAP 1986-0002 which provided for right-of-way dedications and frontage improvements for Cedar Green Road. Please note Cedar Green Road did not become the Route 28 Western Service Road and the additional proffered right-of-way reservation is now null and void.

Response: Per proffer number 1 of ZMAP 1986-0002, Right-of-Way along Route 775 has already been dedicated. In addition, STPL 2005-0009 proposed the curb and gutter constructed and shown on the existing conditions plat. We concur that the reservations for additional Public Street became null and void on or about 9-16-1996.

Status: Issue resolved.

2. A sidewalk should be provided along Route 775 with connections to the existing building.

Response: We have chosen not to add the requested sidewalk to the plans. We believe this sidewalk not to be warranted under the current application.

Attachment 1C

A-14

Status: Issue not resolved. Cedar Green Road like Woodland Road is a minor collector road in the Suburban Policy Area and the Route 28 Tax District. It is identified in the Loudoun County "Bicycle and Pedestrian Mobility Master Plan" as a proposed baseline connecting road. As such, a sidewalk would be appropriate. Please note that in two recent applications on Woodland Road the Planning Commission supported provision of a sidewalk.


## CONCLUSION

The only outstanding transportation issue is the provision of a sidewalk along Cedar Green Road.

AJS/llm

cc: Andy Beacher

**County of Loudoun**  
**Office of Transportation Services**  
**MEMORANDUM**

**DATE:** March 19, 2008  
**TO:** Ginny Rowen, Project Manager, Department of Planning  
**FROM:** Art Smith, Senior Coordinator, Planning and Development   
**SUBJECT:** ZMAP 2007-0009 & SPEX 2007-0050 Graybar Electric  
First Referral

**Background**

The applicant is requesting under ZMAP 2007-0009 a conversion from the 1972 Zoning Ordinance to PD-IP governed under the Revised 1993 Zoning Ordinance. SPEX 2007-0050 is for an outdoor storage area of approximately 10,000 square feet to be located on existing pavement for a loading area at the rear of an existing warehouse.

The site is located on the west side of Route 775, Cedar Green Road south of Pacific Boulevard. Access to the site is provided by two entrances on Ocean Court a private local street. Route 775 in the vicinity of the project is a two lane paved minor collector in a variable right-of-way. The Countywide Transportation Plan (CTP) calls for Route 775 along the site's frontage to remain a two lane road in a 70 foot right-of-way. The site currently generates approximately 307 vehicle trips per day with 28 trips in the AM Peak Hour and 30 trips in the PM Peak Hour. No changes are expected in generated trips associated with the outdoor storage area. Route 775 in the vicinity of the site has approximately 7,400 ADT. The Cedar Green Road/Ocean Street intersection was designed as part of STPL 2005-0009.

**Conclusion**

OTS has no objections to the approval of ZMAP 2007-0009.

OTS has the following issues with SPEX 2007-0050:

1. Please confirm the status of Proffer 1 of ZMAP 1986-0002 which provided for right-of-way dedications and frontage improvements for Cedar Green Road. Please note Cedar Green Road did not become the Route 28 Western Service Road and the additional proffered right-of-way reservation is now null and void.
2. A sidewalk should be provided along Route 775 with connections to the existing building.





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.  
COMMISSIONER

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)  
February 29, 2008

Ms. Ginny Rowen **MSC#62**  
County of Loudoun  
Department of Planning  
1 Harrison Street, S.E.  
Leesburg, Virginia 20177-7000



Re: ZMAP 2007-0009 & SPEX 2007-0050 Graybar Electric  
Loudoun County

Dear Ms. Rowen:

I have reviewed the above plan as requested in your submittal dated February 6, 2008, and received on February 8, 2008. I have no objection to the approval of this plan.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson  
Transportation Engineer

cc: Mr. Imad Salous  
zmap2008-009zm1GraybarElectric2-29-08GR



880 Harrison Street, SE • P.O. Box 4000 • Leesburg, Virginia 20177-1403 • [www.lcsa.org](http://www.lcsa.org)

March 3, 2008



Ms. Ginny Rowen  
Department of Planning  
1 Harrison Street, S.E.  
P. O. Box 7000  
Leesburg, Virginia 20177-7000

**Re: ZMAP-2007-0009 & , SPEX-22007-0050; Graybar Electric**

Dear Ms. Rowen:

The Sanitation Authority has reviewed the referenced Zoning Map Amendment Petition and Special Exception applications and offers no objections to their approval.

Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Julie Atwell". The signature is written in a cursive, flowing style.

Julie Atwell  
Engineering Administrative Specialist

Dale C. Hammes, P.E.  
General Manager/Treasurer

Richard C. Thoesen, P.E.  
Deputy General Manager

Administration 703-771-1095 • Metro 703-478-8016 • Fax 703-777-9223 • Customer Service 703-771-1092 • Metro 703-478-8677 • Fax 703-771-4141

Attachment 1 E

A-18

**LOUDOUN COUNTY**  
**DISCLOSURE OF REAL PARTIES IN INTEREST**

**A. DIRECTIONS**

1. Mandatory disclosures shall include PARTNERSHIPS, CORPORATIONS, or TRUSTS, to include the names of beneficiaries, broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 100 shareholders, that has no shareholder owning 1% or more of any class of stock. In the case of an applicant, title owner, contract purchaser, or lessee of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all its partners (general and limited), of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 1% or more of the applicant, title owner, contract purchaser, or lessee of the land.
2. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.
3. All applicants for zoning map amendment petitions, special exceptions, commission permits, certificates of appropriateness and variances are requested, but not required, to complete Section C of this form entitled *Voluntary Disclosures*. No application will be rejected for applicant's failure to complete Section C.
4. Prior to each and every public hearing on a Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning Ordinance Modification, Special Exception, Commission Permit, Certificate of Appropriateness or Variance, and prior to Board action, the applicant shall review the affidavit and provide any changed or supplemental information including business or financial relationships of the type described above, that arise on or after the date of this application. A "Reaffirmation of Affidavit" form is available for your use online at: [http://inetdocs.loudoun.gov/planning/docs/documentsandfor\\_/index.htm](http://inetdocs.loudoun.gov/planning/docs/documentsandfor_/index.htm)
5. These adopted Disclosure of Real Parties in Interest Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted
6. As used in this section "real parties in interest" shall include all sole or joint property owners, parties who have legal interest in the protection of the property such as a trustee or executor, parties who have an equitable or beneficial interest in the property, such as beneficiaries of a trust, and, in the case of corporations, all stockholders, officers, and directors. Pursuant to Section 15.2-2289, the requirement of listing names of stockholders, officers, and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the case of a condominium, the requirement shall apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium.

I, Graybar Electric Company, Inc., do hereby state that I am an

\_\_\_\_ applicant's authorized agent listed in Section B.1. below

and that to the best of my knowledge and belief, the following information is true:

## B. MANDATORY DISCLOSURES

### 1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application\* and if any of the forgoing is a **TRUSTEE\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

[illegible]

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

**\*\* In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.**

Check if applicable:

Real Parties of Interest information is continued on an additional copy of *page* B-1

If multiple copies of this page are provided please indicate Page                      of                      pages.

A-20

APPLICATION NUMBER: \_\_\_\_\_

**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Graybar Electric Company, Inc., 34 N. Meramec Ave., St. Louis, MO 63105

Description of Corporation:

☐ There are 100 or fewer shareholders and all shareholders are listed below.☐ There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.☒ There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.☐ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)

Names of Officers and Directors (first name, middle initial and last name &amp; title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Robert A. Reynolds, Chairman, President and	Chief Executive Officer
Martin J. Beagen, Vice President-Controller	
D. Beatty D'Alessandro, Senior Vice President and	Chief Financial Officer
Dennis E. DeSousa, Senior Vice President-Sales and	Distribution
Thomas F. Dowd, Senior Vice President, Secretary and	General Counsel

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

APPLICATION NUMBER: \_\_\_\_\_

**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Graybar Electric Company, Inc.

Description of Corporation:

\_\_\_ There are 100 or fewer shareholders and all shareholders are listed below.

\_\_\_ There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

☒ There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

\_\_\_ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)

Names of Officers and Directors (first name, middle initial and last name &amp; title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Lawrence R. Giglio, Senior Vice President	Operations
Kathleen M. Mazzearella, Vice President	Human Resources and Strategic Planning
Richard D. Offenbacher, Senior Vice President	Sales and Marketing
Jon N. Reed, Vice President and Treasurer	

Check if applicable:

\_\_\_ Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

APPLICATION NUMBER: \_\_\_\_\_

**3. PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address (complete name, street address, city, state, zip)

\_\_\_\_ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)

Check if applicable:

\_\_\_\_ Additional Partnership information is included on an additional copy of page B-3.

**4. One of the following options must be checked**

\_\_\_\_ In addition to the names listed in paragraphs B. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

X Other than the names listed in B. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

\_\_\_\_ Additional information for Item B. 3. is included on an additional copy of page B-3.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

APPLICATION NUMBER: \_\_\_\_\_

**C. VOLUNTARY DISCLOSURE**

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).

3. The following constitutes a listing of names and addresses of all real parties in interest in the real estate which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, by gift or donation, more than one hundred dollars to any current member of the Board of Supervisors:

NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)

\_\_\_ Additional County-Official information for Item C is included on an additional page C-1.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

Revised May 10, 2007

A-24



DATE AFFIDAVIT IS NOTARIZED: November 6, 2007

Page D 1

APPLICATION NUMBER: \_\_\_\_\_

D.

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Section C. above, that arise on or after the date of this application.

WITNESS the following signature:

Graybar Electric Company, Inc.

By: L.R. Giglio

check one: ☒ Applicant or ☐ Applicant's Authorized Agent

L. R. Giglio, Senior Vice President-Operations

(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 6<sup>TH</sup> day of NOVEMBER 2007, in the State/Commonwealth of MISSOURI, in the County/City of ST. LOUIS.

Jennifer L. Liss

Notary Public

My Commission Expires: MARCH 6, 2010



JENNIFER L. LISS  
My Commission Expires  
March 6, 2010  
St. Louis County  
Commission #06848492

Attorney

9/21/07

**LOUDOUN COUNTY**  
**DISCLOSURE OF REAL PARTIES IN INTEREST**

**A. DIRECTIONS**

1. Mandatory disclosures shall include PARTNERSHIPS, CORPORATIONS, or TRUSTS, to include the names of beneficiaries, broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 100 shareholders, that has no shareholder owning 1% or more of any class of stock. In the case of an applicant, title owner, contract purchaser, or lessee of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all its partners (general and limited), of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 1% or more of the applicant, title owner, contract purchaser, or lessee of the land.
2. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.
3. All applicants for zoning map amendment petitions, special exceptions, commission permits, certificates of appropriateness and variances are requested, but not required, to complete Section C of this form entitled *Voluntary Disclosures*. No application will be rejected for applicant's failure to complete Section C.
4. Prior to each and every public hearing on a Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning Ordinance Modification, Special Exception, Commission Permit, Certificate of Appropriateness or Variance, and prior to Board action, the applicant shall review the affidavit and provide any changed or supplemental information including business or financial relationships of the type described above, that arise on or after the date of this application. A "Reaffirmation of Affidavit" form is available for your use online at: [http://inetdocs.loudoun.gov/planning/docs/documentsandfor\\_/index.htm](http://inetdocs.loudoun.gov/planning/docs/documentsandfor_/index.htm)
5. These adopted Disclosure of Real Parties in Interest Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted
6. As used in this section "real parties in interest" shall include all sole or joint property owners, parties who have legal interest in the protection of the property such as a trustee or executor, parties who have an equitable or beneficial interest in the property, such as beneficiaries of a trust, and, in the case of corporations, all stockholders, officers, and directors. Pursuant to Section 15.2-2289, the requirement of listing names of stockholders, officers, and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the case of a condominium, the requirement shall apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium.

O. Leland Mahan, Esq. of

applicant

x applicant's authorized agent listed in Section B.1. below

in application Number(s): \_\_\_\_\_

and that to the best of my knowledge and belief, the following information is true:

## B. MANDATORY DISCLOSURES

### 1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application\* and if any of the forgoing is a **TRUSTEE\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

[illegible]

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

**\*\* In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.**

Check if applicable:

Real Parties of Interest information is continued on an additional copy of *page* B-1

If multiple copies of this page are provided please indicate Page                      of                      pages.

A2T

APPLICATION NUMBER: \_\_\_\_\_

**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Description of Corporation:

☐ *There are 100 or fewer shareholders and all shareholders are listed below.*☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)

Names of Officers and Directors (first name, middle initial and last name &amp; title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

APPLICATION NUMBER: \_\_\_\_\_

**3. PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address (complete name, street address, city, state, zip)

Hall, Monahan, Engle, Mahan & Mitchell (two offices)

(1) 307 E. Market Street, Suite 200, Leesburg, Virginia 20176

(2) 9 E. Boscawen Street, Winchester, Virginia 22601

\_\_\_\_ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)
Samuel D. Engle	General Partner
O. Leland Mahan	General Partner
Robert T. Mitchell, Jr.	General Partner
James A. Klenkar	General Partner
Steven F. Jackson	General Partner
Dennis J. McLoughlin, Jr.	Associate

Check if applicable:

\_\_\_\_ Additional Partnership information is included on an additional copy of page B-3.

**4. One of the following options must be checked**

\_\_\_\_ In addition to the names listed in paragraphs B. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

X Other than the names listed in B. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

\_\_\_\_ Additional information for Item B. 3. is included on an additional copy of page B-3.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

APPLICATION NUMBER: \_\_\_\_\_

**C. VOLUNTARY DISCLOSURE**

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).          None.

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).          None.

3. The following constitutes a listing of names and addresses of all real parties in interest in the real estate which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, by gift or donation, more than one hundred dollars to any current member of the Board of Supervisors:

NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)
None	

\_\_\_ Additional County-Official information for Item C is included on an additional page C-1.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

APPLICATION NUMBER: \_\_\_\_\_

D.

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Section C. above, that arise on or after the date of this application.

WITNESS the following signature:

Hall, Monahan, Engle, Mahan & Mitchell, Atty's.  
[Signature]

check one: ☐ Applicant or ☒ Applicant's Authorized Agent

O. Leland Mahan, Attorney

(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 21st day of November 20 07, in the State/Commonwealth of Virginia, in the County/City of Loudoun.

Deborah A. Arnold

Notary Public

My Commission Expires: 02/28/2011



**LOUDOUN COUNTY**  
**DISCLOSURE OF REAL PARTIES IN INTEREST**

**A. DIRECTIONS**

1. Mandatory disclosures shall include PARTNERSHIPS, CORPORATIONS, or TRUSTS, to include the names of beneficiaries, broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 100 shareholders, that has no shareholder owning more than 1% or more of any class of stock. In the case of an applicant, title owner, contract purchaser, or lessee of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all its partners (general and limited), of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 1% or more of the applicant, title owner, contract purchaser, or lessee of the land.
2. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.
3. All applicants for zoning map amendment petitions, special exceptions, commission permits, certificates of appropriateness and variances are requested, but not required, to complete Section C of this form entitled *Voluntary Disclosures*. No application will be rejected for applicant's failure to complete Section B.4.
4. Prior to each and every public hearing on a Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning Ordinance Modification, Special Exception, Commission Permit, Certificate of Appropriateness or Variance, and prior to Board action, the applicant shall review the affidavit and provide any changed or supplemental information including business or financial relationships of the Type described above, that arise on or after the date of this application.
5. If additional space is needed to complete this form, the applicant may attach a separate sheet of paper to the back of this form.



DATE AFFIDAVIT IS NOTARIZED: 11-26-07

Page B 1

APPLICATION NUMBER: \_\_\_\_\_

I, William E. Fissel, do hereby state that I am an

☐ applicant

☒ applicant's authorized agent listed in Paragraph B.1. below

in application Number(s): \_\_\_\_\_

and that to the best of my knowledge and belief, the following information is true:

**B. MANDATORY DISCLOSURES**

**1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST**

The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES of the land described in the application\* and if any of the forgoing is a TRUSTEE\*\* each BENEFICIARY of such trust, and all ATTORNEYS, and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (MCPI) of the parcel(s) for each owner(s).

MCPI	NAME (first, M.I., last)	ADDRESS (str, city, state, zip code)	RELATIONSHIP (listed in bold, above)
045-38-0987	<b>William E. Fissel, P.E.</b>	1503 Edwards Ferry Road, Suite 200, Leesburg, Virginia 20176-6680	<b>Agent</b>
045-38-0987	<b>David L. Frank, C.L.A.</b>	1503 Edwards Ferry Road, Suite 200, Leesburg, Virginia 20176-6680	<b>Agent</b>

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

DATE AFFIDAVIT IS NOTARIED: 11-26-07

Page B 2

APPLICATION NUMBER: \_\_\_\_\_

☐ Real Parties of Interest information is continued on an additional *page* B-1

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

Revised March 2007

A-34

DATE AFFIDAVIT IS NOTARIZED: 11.26.07

Page B 3

APPLICATION NUMBER: \_\_\_\_\_

## 2. NAMES OF CORPORATION SHAREHOLDERS

The following constitutes a listing of the shareholders of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all officers and directors of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

**Dewberry & Davis LLC**  
**8401 Arlington Boulevard**  
**Fairfax, Virginia 22031**  
**A Virginia Limited Liability Company**

**Please note:**

**Dewberry & Davis LLC is 99.9998% owned by**  
**The Dewberry Companies LC**  
**8401 Arlington Boulevard**  
**Fairfax, Virginia 22031**

Description of Corporation:

- ☐ *There are 100 or fewer shareholders and all shareholders are listed below.*
- ☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*
- ☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

Names of shareholders (first name, middle initial and last name)

**The following is a list of owners of The Dewberry Companies LC**

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
<b>Sidney O. Dewberry</b>	<b>Barry K. Dewberry</b>
<b>Karen S. Grand Pre</b>	<b>Michael S. Dewberry</b>
<b>Thomas L. Dewberry</b>	

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

DATE AFFIDAVIT IS NOTARIZED: 11.26.07

Page B 4

APPLICATION NUMBER: \_\_\_\_\_

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

**The following is a list of the Board of Managers of Dewberry & Davis LLC**

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
<b>Sidney O. Dewberry</b>	<b>Chairman, Board of Managers</b>
<b>Ronald L. Ewing</b>	<b>Member, Board of Managers</b>
<b>Barry K. Dewberry</b>	<b>Member, Board of Managers</b>

Check if applicable:

☐ Additional shareholder information is continued on an additional page B-2

### 3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the partners, both general and limited, in any partnership disclosed in the affidavit.

Partnership name and address (complete name, street address, city, state, zip)

N/A

☐ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the partners (enter first name, middle initial, last name, and title, e.g. general partner, limited partner, or general and limited partner)

NAME (First, M.I., Last)	Title (e.g. general partner, limited partner, etc)
N/A	

Check if applicable:

☐ Additional Partnership information is included on an additional page B-4.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

DATE AFFIDAVIT IS NOTARIZED: \_\_\_\_\_

11.26.07

Page B 5

APPLICATION NUMBER: \_\_\_\_\_

4. One of the following boxes must be checked

☐ In addition to the names listed in paragraphs B. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

☒ Other than the names listed in B. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:  
**(none of these apply; Dewberry & Davis is an agent of the land owner)**

Check if applicable:

☐ Additional information for Item B. 3. is included on an additional page B-3.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

DATE AFFIDAVIT IS NOTARIED: 11.26.07

Page C 1

APPLICATION NUMBER: \_\_\_\_\_

**C. VOLUNTARY DISCLOSURE**

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

**NONE**

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is an officer, director, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, **has or has had any business or financial relationship**, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).

**NONE**

☐ Additional County-Official information is included on an additional page C-1.

DATE AFFIDAVIT IS NOTARIZED: 11.26.07

Page D 1

APPLICATION NUMBER: \_\_\_\_\_

**D. AFFIDAVIT**

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph C. 2 above, that arise on or after the date of this application.

WITNESS the following signature:

*William Fissel*

check one: ☐ Applicant or ☒ Applicant's Authorized Agent

WILLIAM FISSEL SEN. V.P.

(Type or print first name, middle initial and last name and title of signee)

The above affidavit was subscribed and confirmed by oath or affirmation before me this 26<sup>th</sup> day of November 2007, in the County of Loudoun, in the State of Virginia.

*Kathy J. Fields*

My Commission Expires: Sept 30, 2008



REVISED STATEMENT OF JUSTIFICATION DATED MAY 29, 2008

The applicant and owner of the subject property is Graybar Electric Company, Inc. The subject property was recently acquired by the owner and was recorded in the Loudoun County land records as Instrument No. 20070606-0042596 and is further described as Lot 4A of Jaguar Office Park, PIN 045-38-0987 and Tax Map No. /94//42/////4/. There is an existing 62,000 square foot warehouse building located on the subject 6.49 acres of land.

The subject property is presently zoned PD-IP under the 1972 Loudoun County Zoning Ordinance and is subject to the approved zoning map amendment ZMAP-1986-0002, Dulles Associates. The owner/applicant is interested in building an outdoor accessory storage area on the subject property, however, it is not allowed under the 1972 Zoning Ordinance.

The owner/applicant is requesting a zoning map amendment to convert one parcel – Tax Map No. /94//42/////4/, MCPI 045-38-0987 from PD-IP under the 1972 Zoning Ordinance to PD-IP under the Revised 1993 Loudoun County Zoning Ordinance and requesting a special exception to permit an outdoor accessory storage use in the PD-IP Zoning District.

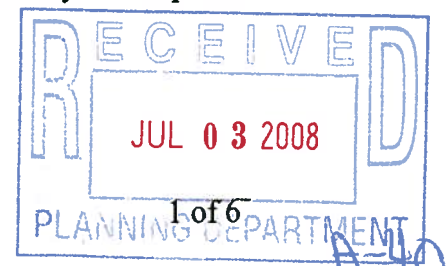
The outdoor storage area will be used as an accessory use to the existing 62,000 square foot warehouse building located on the property. The perimeter of the storage area will be enclosed with an 8 foot high chain link fence with a 24'0" rolling gate. Access to the storage area will be through the rolling gate; and access to the existing building is through a large overhead door and ramp inside of the fenced area. The storage yard would be used to store an inventory of large wholesale products, such as (a) large spools of wire or inner duct (for fiber optic placement), (b) 6 to 8 foot in diameter tubs (utility vaults to be buried in the ground), (c) cantilever racking (up to 12 feet high) to store bundled 10 – 20 foot lengths of PVC or metal conduits. Trucks are normally backed to the dock doors at night to unload the products mentioned above.

**Issues for Consideration from Section 6-1310 (Special Exceptions) and Section 6-1211(E) (Zoning Map Amendments) of the Loudoun County 1993 Zoning Ordinance:**

**Section 6-1211(E)(1) and Section 6-1310 (A)**

**Whether the proposed zoning district classification and the proposed special exception are consistent with the Comprehensive Plan.**

The special exception request for this project is for an outdoor accessory storage use for an area of approximately 10,000 square feet to be placed on the existing paved loading area in the rear of the existing warehouse building located on the subject property. The proposed use is permissible with a Special Exception under the zoning district classification of PD-IP zoning under the Revised 1993 Loudoun County Zoning Ordinance. All of the surrounding properties are presently zoned PD-IP, and the project is fully consistent with the County's Comprehensive Plan.





**Section 6-1310 (B)**

**Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.**

The existing access to the proposed outdoor accessory storage area will provide the necessary access required by the fire and rescue vehicles to the site. Existing fire hydrants are available on the subject property.

**Section 6-1211(E)(2)**

**Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.**

There are changed or changing conditions in the area affected that make the proposed rezoning appropriate. The surrounding properties are zoned PD-IP under the 1972 Zoning Ordinance with the exception of PIN 045-39-1908 (Lot 1A of the Stuart Subdivision), which lies to the east of the subject property and Cedar Green Road (Route 775), and which is zoned PD-IP under the Revised 1993 Loudoun County Zoning Ordinance.

**Section 6-1211(E)(3) and Section 6-1310 (E)**

**Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.**

The uses permitted on other properties in the immediate vicinity are compatible with the range of uses in the proposed zoning district.

**Section 6-1310 (C)**

**Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.**

The proposed use for the site is outdoor accessory storage. We do not expect to have any increase in the noise level generated by the proposed use that would negatively impact the uses in the immediate area, which are commercial/warehouse uses.

**Section 6-1211(E)(4)**

**Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.**

Public sewer and water, adequate utilities, transportation and other facilities exist or can be provided to serve the uses that would be permitted or permissible on the subject property if it were rezoned PD-IP under the Revised 1993 Loudoun County Zoning Ordinance.

**Section 6-1211(E)(5) and Section 6-1310 (M)**

**The effect of the proposed rezoning and the proposed special exception on the County's ground water supply.**

The rezoning and the special exception use of the subject property are not expected to affect the ground water supply. Nothing is planned during construction of the project that would reasonably have any effect.

**Section 6-1211(E)(6) and Section 6-1310 (N)**

**The effect of uses allowed by the proposed rezoning and special exception on the structural capacity of the soils.**

Nothing about the design of the project or in its construction is expected to have any effect on the soils structural bearing quality. The subsoil condition is expected to provide good bearing quality for the proposed use.

**Section 6-1310 (D)**

**Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.**

If lighting is proposed for the site, the lighting will be lower than existing poles and less intensity than the existing lights. Thus, there should be no negative impacts generated by the glare or light of the proposed use.

**Section 6-1310 (E)**

**Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.**

All of the surrounding properties are zoned PD-IP and the uses permitted on other properties in the immediate vicinity are compatible with the range of uses in the proposed zoning district.

**Section 6-1310 (F)**

**Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.**

The subject storage area is very secluded from the road and from other properties. The property owner to the north and west is Opus West, the party that sold the subject property to applicant/owner. To the south of this property, the adjacent property is wooded. Therefore, the proposed storage yard will be difficult to see from the street. The proposed fencing will adequately screen the property from surrounding warehouse uses.

**Section 6-1310 (G)**

**Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.**

The proposed special exception use will not result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

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**Section 6-1211 (E)(9) and Section 6-1310 (H)**

**Whether the proposed rezoning and special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.**

The proposed rezoning application and the special exception use will not damage existing animal habitat, vegetation, water quality or air quality.

**Section 6-1310 (I)**

**Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.**

The proposed special exception use at the specified location will contribute to or promote the welfare or convenience of the public.

**Section 6-1211(E)(7) and Section 6-1310 (J)**

**Whether the traffic expected to be generated by the proposed rezoning and special exception use will be adequately and safely served by roads, pedestrian connections and other transportation services.**

There will not be any increase in the volume of vehicular and pedestrian traffic and traffic safety in the vicinity will not be altered by the proposed use of the subject property.

**Section 6-1310 (K)**

**Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County,**

The existing structures proposed to be converted to uses requiring a special exception will meet all code requirements of Loudoun County.

**Section 6-1310 (L)**

**Whether the proposed special exception will be served adequately by essential public facilities and services.**

The proposed special exception use will be served adequately by public water and sewer and other essential public facilities and services.

**Section 6-1310 (O)**

**Whether the proposed use will negatively impact orderly and safe road development and transportation.**

The traffic expected to be generated by the proposed use will be the same traffic that presently delivers products to the subject property. The present roads serving the site are adequate as they were approved as part of STPL 2005-2009, the present 62,000 square foot building on the subject property.

**Section 6-1211(E)(10) and Section 6-1310 (P)**

**Whether the proposed rezoning and special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.**

The proposed rezoning application and special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

**Section 6-1211(E)(11) and Section 6-1310 (Q)**

**Whether the proposed rezoning and special exception considers the needs of agriculture, industry, and businesses in future growth.**

The proposed rezoning application and special exception use considers the needs of agriculture, industry and businesses in future growth.

**Section 6-1310 (R)**

**Whether adequate on and off-site infrastructure is available.**

There is adequate on and off-site infrastructure on the subject property for the proposed use.

**Section 6-1310 (S)**

**Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.**

There are no anticipated odors that will negatively impact adjacent uses.

**Section 6-1310 (T)**

**Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.**

The surrounding properties are used for purposes allowed in the PD-IP Zoning District, thus, there are no residential neighborhoods and school areas impacted by the proposed special exception use. The entrance and exit to the existing 62,000 square foot building on the site are to be used for ingress and egress to the proposed outdoor storage area. There should be no additional traffic and through construction traffic generated by this rezoning and special exception use.

**Section 6-1211(E)(8)**

**Whether a reasonably viable economic use of the subject property exists under the current zoning.**

There is a reasonably viable economic use of the subject property under the current zoning. This rezoning application merely converts the subject property from PD-IP under the 1972 Zoning Ordinance to PD-IP under the Revised 1993 Loudoun County Zoning Ordinance.

**Section 6-1211(E)(12)**

**Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.**

The proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.

**Section 6-1211(E)(13)**

**Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.**

The rezoning application and the proposed special exception use encourages the conservation of properties and their values and encourages the most appropriate use of the land.

**Section 6-1211(E)(14)**

**Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County and the capacity of existing and/or planned public facilities and infrastructure.**

This rezoning application does consider the above factors by converting from PD-IP under the 1972 Zoning Ordinance to PD-IP under the Revised 1993 Loudoun County Zoning Ordinance.

**Section 6-1211(E)(15)**

**The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.**

This rezoning application and the proposed special exception use are for industrial use and not residential, thus, moderate housing is not a consideration of this application.

**Section 6-1211(E)(16)**

**The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.**

The rezoning application and the proposed special exception use will not affect the natural, scenic, archaeological, or historic features of significant importance.

Proffers Submitted by  
Dulles Associates, a Virginia Limited Partnership  
ZMAP 86-02

Pursuant to Section 15.1-491 of the Code of Virginia (1984 Cumm. Supp.) and Sections 1202.1 and 540 of the Zoning Ordinance of Loudoun County, Virginia (1972, as amended), the applicant and the owners or their successors in title, in Zoning Map Amendment Petition ZMAP 86-02 concerning property referred to among the land records of Loudoun County, Virginia, as Tax Map 94, Parcel 9, hereby proffer the following conditions, contingent upon the rezoning of the subject property to the Zoning District applied for, namely, PD-IP (Planned Development-Industrial Park) and granting the right to use the property for warehousing and commercial office buildings as permitted by Section 722.3.2 of the Loudoun County Zoning Ordinance:

1. In conjunction with the approval of the final site plan, the applicant agrees to dedicate for public street purposes that portion of the property that is within 30 feet of the centerline of Route 775. The applicant further agrees to construct road improvements (one-half of a U4 section) consisting of pavement widening, the installation of curb and gutter, with the face of the curb set 26 feet from the centerline of Route 775.

Applicant further agrees to reserve for public street purposes an additional 25 feet parallel and adjacent to the property dedicated above for ten years from the date of the approval of this rezoning application. In the event Applicant has secured site plan approval for the development of the subject property, said reservation will be dedicated by the applicant without compensation for public roadway purposes upon request by the County of Loudoun or VDH & T as provided herein. For the purposes of this proffer adoption of any plan by the County of Loudoun locating the Route 28 Western Service Road in the area designated herein will justify the request for the dedication of the additional 25 ft. In the event the County of Loudoun should decide to locate said Rt. 28 Western Service Road at another location this reservation shall become null and void.

It is understood that FAR calculations can be made for reservations referred to herein.

2. In conjunction with the approval of the final site plan, the applicant will incorporate appropriate fire protection measures as reasonably recommended by the Fire Marshal and as required by the Loudoun County Fire Code, to accommodate the structures to be erected on the property.

3. During the building design phase, the applicant will provide noise attenuation devices to limit interior noise levels for primary office and research/development uses to appropriate levels in accordance with Table A-4 of the FAR Part 150 Noise Compatibility Program, Washington Dulles International Airport, a copy of which is attached as Exhibit A and incorporated herein by reference.

4. During the site development process, the applicant agrees to designate and preserve in its natural state, as much as possible, the wooded areas located on the subject property.

5. The applicant agrees to connect to the public sewer system at the time of development. The Applicant agrees to connect to the public water system as soon as public water becomes available to the site.

6. The applicant agrees to conduct geotechnical studies as required for construction of buildings and parking lots at the site plan stage.

7. Applicant agrees to contribute the sum of \$.05 per building square foot to the County Fire Facilities and \$.05 per building square foot to the County Rescue Facilities that will serve the subject site prior to the issuance of a certificate of occupancy for the first buildings erected.

These proffers are submitted in accordance with Section 1202.1 of the Zoning Ordinance of Loudoun County, Virginia (1972, as amended) and Section 540 of the Zoning Ordinance of Loudoun County by Dulles Associates, a Virginia Limited Partnership, who respectfully represents that it is the sole owner of the property. Dulles Associates further represents that it has full authority to make these proffers and execute this document and that these proffers are voluntarily entered into by it.

WITNESS the following signature and seal:

DULLES ASSOCIATES, a Virginia  
Limited Partnership

BY: Todd Shaver, Gen. Partner

STATE OF VIRGINIA, AT LARGE  
COUNTY OF LOUDOUN, To-Wit:

On this 8th day of September, 1986, before me, the undersigned Notary Public in and for said City/County and State, personally appeared Todd Shaver, Gen. Partner,

May 7, 2008

Mr. John D. Kirby, Planner, Zoning Administration  
Loudoun County Department of Building and Development  
1 Harrison Street SE.  
Leesburg, VA 20177



Re: Graybar Electric, 1<sup>st</sup> Submission  
ZMAP-2007-0009 & SPEX-2007-0050  
MCPI: 045-38-0987-000

Dear Mr. Kirby:

On behalf of the owner Graybar Electric, we offer our responses to your comments dated 04/11/08.

**ZMAP Comments:**

1. On Sheet 1 of 2 update General Notes to reference ZMAP-1986-0002 and BLAD-2005-0033.

*Response: We have revised the general notes on sheet 1 as requested.*

2. On Sheet 1 of 2 County records do not match the acreage and square footage provided. Please review information and change if necessary.

*Response: We have updated sheet 1 to match county records.*

3. On Sheet 1 of 2 update zoning information in General Notes to reference the LDN 60 1 Mile Airport Impact Overlay District and the LDN 60 Airport Impact Overlay District.

*Response: We have revised the general notes on sheet 1 to include reference to the LDN overlay district.*

4. On Sheet 2 of 2 please remove the SPEX shading and notation of the storage yard from the ZMAP plan.

*Response: We have removed references to the SPEX on the ZMAP document.*

5. On Sheets 1 and 2 please remove all +/- information and provide the actual numbers according to County records.

*Response: We have removed the +/- notations and have matched parcel data to the county records.*



6. On Sheet 2 of 2 please identify all required yards and setbacks (parking & building), and the required buffer yards.

*Response: We have revised sheet 2 as requested.*

**SPEX Comments:**

1. On Sheet 1 of 4 correct General Note 1 to state an accessory outdoor storage area, instead of an outdoor storage area and please remove +/- and provide accurate square footage.

*Response: We have revised general note 1 as requested.*

2. On Sheet 1 of 4 County records do not match the acreage, and square footage provided. Please update this information to match County records or update parcel information to correct the parcel size.

*Response: We have updated sheet 1 to match county records.*

3. On Sheet 1 of 4 update General Notes to reference BLAD-2005-0033.

*Response: We have revised sheet 1 as requested.*

4. On Sheet 1 of 4 update General Notes to reference acreage and square footage.

*Response: We have revised sheet 1 as requested.*

5. On Sheet 1 of 4 update General Notes to reference the LDN 60 1 Mile Airport Impact Overlay District and the LDN 60 Airport Impact Overlay District.

*Response: We have revised the general notes on sheet 1 to include reference to the LDN overlay district.*

6. On Sheet 1 of 4 update general notes to reference ZMAP-1986-0002.

*Response: We have revised sheet 1 as requested.*

7. On Sheet 1 of 4 please separate the Site Tabulations based on existing and proposed.

*Response: We have revised the site tabulations per our discussion.*

Client Name  
Page 3  
Date

8. Under Site Tabulations the current use "Commercial/Industrial/Office" is not a specified use in the Revised 1993 Loudoun County Zoning Ordinance. The current use is "Warehousing" permitted by special exception (SPEX-1986-0002) under the 1972 Loudoun County Zoning Ordinance.

*Response: We have revised the site tabulations per our discussion.*

9. Under Site Tabulations please add lot coverage, building height (maximum and provided), and identify required yards.

*Response: We have revised the site tabulations per our discussion.*

10. On Sheet 2 of 4 please identify all required yards (parking & building), and the buffer yards.

*Response: We have revised sheet 2 to include all required yards.*

11. On Sheet 2 of 4 please provide the accurate dimensions of the accessory outdoor storage area.

*Response: We have specified exact storage yard dimensions to the plans.*

12. On Sheet 3 of 4 please remove the outdoor storage area from the existing conditions plat.

*Response: We have revised the existing conditions plat as requested.*

13. All Sheets please remove all +/- information and provide the actual numbers according to County records.

*Response: We have removed the +/- notations and have matched parcel data to the county records.*

We trust the enclosed addresses all outstanding comments. Please call us if you have any questions. Thank you.

Sincerely,



David L. Frank, CLA  
Dewberry & Davis LLC



1503 Edwards Ferry Road  
Suite 200  
Leesburg, Virginia 20176

703.771.8004  
703.771.4091 fax  
www.dewberry.com

May 7, 2008

Mr. Art Smith, Senior Coordinator  
Loudoun County Department of Building and Development  
1 Harrison Street SE.  
Leesburg, VA 20177



Re: Graybar Electric, 1<sup>st</sup> Submission  
ZMAP-2007-0009 & SPEX-2007-0050  
MCPI: 045-38-0987-000

Dear Mr. Smith:

On behalf of the owner Graybar Electric, we offer our responses to your comments dated 03/19/08.

**ZMAP Comments:**

OTS has no objections to the approval of ZMAP 2007-0009.

*Response: No response is necessary.*

**SPEX Comments:**

OTS has the following issues with SPEX 2007-0050:

1. Please confirm the status of Proffer 1 of ZMAP 1986-0002 which provided for right-of-way dedications and frontage improvements for Cedar Green Road. Please note Cedar Green Road did not become the Route 28 Western Service Road and the additional proffered right-of-way reservation is now null and void.

*Response: Per proffer number 1 of ZMAP 1986-002, Right-of-Way along Route 775 has already been dedicated. In addition, STPL 2005-0009 proposed the curb and gutter constructed and shown on the existing conditions plat. We concur that the reservation for additional Public Street became null and void on or about 9-16-1996.*

2. A sidewalk should be provided along Route 775 with connections to the existing building.

*Response: We have chosen not to add the requested sidewalk to the plans. We believe this sidewalk not to be warranted under the current application.*

We trust the enclosed addresses all outstanding comments. Please call us if you have any questions. Thank you.

Sincerely,

David L. Frank, CLA  
**Dewberry & Davis LLC**

**Dewberry & Davis LLC**

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**GRAYBAR ELECTRIC COMPANY, INC.**

**ZMAP 2007-0009**

**PROFFER STATEMENT**

**JULY 11, 2008**

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Pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, Graybar Electric Company, Inc., the applicant and owner of approximately 6.49 acres of real property described as Loudoun County Tax Map Number: /94//42/////4/ (PIN: 045-38-0987-000) (the "Property"), which is subject to rezoning application ZMAP 2007-0009, hereby voluntarily proffers that development of the Property shall be in substantial conformity with the proffers set forth below and the Zoning Map Amendment Plat entitled "Graybar Electric Company, Inc." comprising two sheets, prepared by Dewberry & Davis LLC of Leesburg, Virginia, certified land surveyors, dated August 2007, as revised through April 23, 2008. All proffers made herein are contingent upon the approval by the Loudoun County Board of Supervisors of the change in zoning district from Planned Development – Industrial Park zoning district ("PD-IP") as governed under the 1972 Loudoun County Zoning Ordinance, to the PD-IP zoning district as governed under the Revised 1993 Loudoun County Zoning Ordinance as requested in rezoning application ZMAP-2007-0009.

**I. Zoning Map Amendment Plat**

The Property shall be developed in substantial conformity with the Graybar Electric Company, Inc. Zoning Map Amendment Plat prepared by Dewberry & Davis LLC dated August 2007, as revised through April 23, 2008, attached hereto and incorporated herein.

**II. Binding Effects**

The undersigned hereby warrants that all of the owners of a legal interest in the Property have signed this Proffer Statement, that they have full authority to bind the Property to these conditions, and that this Proffer statement is entered into voluntarily.

Attachment

A-52

Current owner as of 07/11/08:  
Graybar Electric Company, Inc.  
34 N. Meramec Avenue  
St. Louis, Missouri 63105

GRAYBAR ELECTRIC COMPANY, INC.,  
a New York Corporation:

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_  
CITY / COUNTY OF \_\_\_\_\_, to-wit:

I, the undersigned notary public, in and for the state and city / county aforesaid, do hereby certify that \_\_\_\_\_, as the \_\_\_\_\_, of Graybar Electric Company, Inc., whose name is signed to the foregoing instrument, has acknowledged the same before me on behalf of the corporation.

Subscribed and sworn to before me this \_\_\_\_\_ date of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public